

**OFFICIAL**

MAY 20 2004

P/3426-21

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Carl L. C. Kah, Jr., et al.

Date: May 20, 2004

Serial No.: 10/015,588

Group Art Unit: 3752

Filed: December 17, 2001

Examiner: HWU, Davis. D.

For: **ROTARY DRIVE SPRINKLER WITH FLOW CONTROL AND SHUT OFF**

Mail Stop AF

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

VIA FACSIMILE (703) 872-9306**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 20, 2004 of the Primary Examiner finally rejecting claims 8-10, 13, 34-36, 40-42, 47-49, 53-55, and 60.

The Appeal Fee (\$165.00 Small Entity)

☒ [X] Should be charged to our Deposit Account No. 15-0700.

Applicant hereby petitions the Asst. Commissioner for Patents to extend the time for filing a Response to the outstanding Office Action by ONE (1) month. Please charge our Deposit Account No. 15-0700 for the petition fee in accordance with 37 CFR 1.17 computed as:

☒ X Response within FIRST month☐ X (\$55.00 Small Entity)**TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT \$220.00.**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should

be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being transmitted via facsimile to (703) 872-9306, addressed to: Box AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 20, 2004:

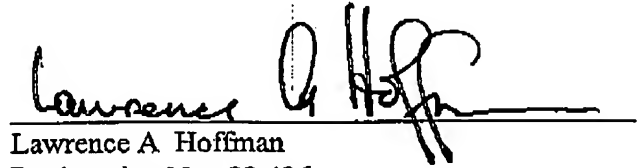
Lawrence A. Hoffman  
Name of applicant, assignee or  
Registered Representative

  
Signature

May 20, 2004  
Date of Signature

LAH:sks

Respectfully submitted,

  
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